

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

DENHOLLANDER, et al.,	)	Lead Case No. 1:17-cv-00029-GJQ- ESC
	)	Member Cases:
Plaintiffs,	)	1:18-cv-00640-GJQ-ESC
v.	)	1:18-cv-00694-GJQ-ESC
	)	1:18-cv-00734-GJQ-ESC
MICHIGAN STATE UNIVERSITY, et al.,	)	1:18-cv-00758-GJQ-ESC
	)	1:18-cv-00773-GJQ-ESC
Defendants.	)	1:18-cv-00806-GJQ-ESC
	)	1:18-cv-00822-GJQ-ESC
	)	1:18-cv-00828-GJQ-ESC
	)	1:18-cv-00829-GJQ-ESC
	)	1:18-cv-00831-GJQ-ESC
	)	1:18-cv-00842-GJQ-ESC
	)	1:18-cv-00851-GJQ-ESC
	)	1:18-cv-00886-GJQ-ESC
	)	1:18-cv-00913-GJQ-ESC
	)	1:18-cv-00915-GJQ-ESC
	)	1:18-cv-00922-GJQ-ESC
	)	1:18-cv-00944-GJQ-ESC
	)	1:18-cv-00968-GJQ-ESC
	)	1:18-cv-00978-GJQ-ESC
	)	1:18-cv-00982-GJQ-ESC
	)	1:18-cv-00984-GJQ-ESC
	)	1:18-cv-00987-GJQ-ESC
	)	1:18-cv-00993-GJQ-ESC
	)	1:18-cv-00995-GJQ-ESC
	)	1:18-cv-00998-GJQ-ESC
	)	1:18-cv-00999-GJQ-ESC
	)	1:18-cv-01004-GJQ-ESC
	)	1:18-cv-01005-GJQ-ESC
	)	1:18-cv-01006-GJQ-ESC
	)	1:18-cv-01008-GJQ-ESC
	)	1:18-cv-01010-GJQ-ESC
	)	1:18-cv-01012-GJQ-ESC
	)	1:18-cv-01016-GJQ-ESC
	)	1:18-cv-01018-GJQ-ESC
	)	1:18-cv-01019-GJQ-ESC
	)	1:18-cv-01022-GJQ-ESC
	)	1:18-cv-01023-GJQ-ESC
	)	1:18-cv-01024-GJQ-ESC
	)	1:18-cv-01025-GJQ-ESC
	)	1:18-cv-01027-GJQ-ESC

) 1:18-cv-01031-GJQ-ESC
) 1:18-cv-01035-GJQ-ESC
) 1:18-cv-01036-GJQ-ESC
) 1:18-cv-01038-GJQ-ESC
) 1:18-cv-01039-GJQ-ESC
) 1:18-cv-01042-GJQ-ESC
) 1:18-cv-01045-GJQ-ESC
) 1:18-cv-01046-GJQ-ESC
) 1:18-cv-01047-GJQ-ESC
) 1:18-cv-01056-GJQ-ESC
) 1:18-cv-01057-GJQ-ESC
) 1:18-cv-01058-GJQ-ESC
) 1:18-cv-01060-GJQ-ESC
) 1:18-cv-01169-GJQ-ESC
) 1:18-cv-01258-GJQ-ESC
) 1:18-cv-01296-GJQ-ESC
)
) Hon. Gordon J. Quist
)

**STATUS REPORT REGARDING MEDIATION AND
RULE 16 SCHEDULING CONFERENCE**

Now come defendants Michigan State University, the Board of Trustees of Michigan State University, and Michigan State University Sports Medicine Clinic (collectively, “MSU”), by and through their undersigned attorneys, and hereby inform the Court that settlement discussions between MSU and plaintiffs have failed to achieve complete resolution of all cases pending before the Court.

Pursuant to FED. R. CIV. P. 16(a), MSU hereby requests a scheduling conference for the purpose of setting a schedule for the MSU Defendants’ response to the complaints in the above-captioned cases, and if necessary, engaging in subsequent discovery and litigation.¹ In support of this request, MSU states as follows:

¹ The MSU Defendants include Michigan State University, The Board of Trustees for Michigan State University (collectively and/or individually), the MSU Sports Medicine Clinic, Dr. Douglas Dietzel, Lianna Hadden, Kathie Klages, Dr. Jeffrey Kovan, Dr. Brooke Lemmen,

1. On January 30, 2019, this Court entered a Stipulated Order in the lead case (1:17-cv-00029) extending the stay of certain consolidated and related cases and any additional consolidated or related cases filed on or after August 17, 2018, as against the MSU Defendants, pending mediation ordered by the Michigan Court of Claims in parallel proceedings. (ECF No. 929.)

2. On February 20 and 21, 2019, MSU and plaintiffs participated in mediation facilitated by Hon. Steven W. Rhodes. Following the mediation, MSU and plaintiffs continued to engage in settlement discussions in good faith. Although some cases were resolved, settlement discussions failed to achieve complete resolution of 55 cases that remain pending before this Court.²

3. Pursuant to the Court's instruction to submit a proposed scheduling order addressing the scheduling of litigation activities should the mediation fail, on April 18, 2019, MSU and plaintiff representatives met and conferred regarding a stipulated schedule.

4. The parties were unable to reach an agreement on a schedule.

Kristine Moore, Dr. Lou Anna K. Simon, Dr. William Strampel, Dr. Gary Stollak, and Destiny Teachnor-Hauk.

² This number accounts for one case that was recently settled in principle, but for which an agreement has not yet been executed.

For the foregoing reasons, MSU hereby requests the Court set a date for the plaintiffs and MSU Defendants to be heard at a Rule 16 scheduling conference.

Dated: April 22, 2019

Respectfully submitted,

/s/ Amy L. Van Gelder

Amy L. Van Gelder

Jessica A. Frogge

Skadden Arps Slate Meagher & Flom LLP

155 N Wacker Dr., Ste. 2700

Chicago, IL 60606-1720

(312) 407-0700

/s/ Scott R. Eldridge

Scott R. Eldridge (P66452)

Miller Canfield Paddock & Stone PLC

One Michigan Ave., Ste. 900

Lansing, MI 48933

(517) 487-2070

*Attorneys for Defendants Michigan State
University, Michigan State University
Board of Trustees, and Michigan State
University Sports Medicine Clinic*

CERTIFICATE OF SERVICE

I hereby certify that on April 22, 2019, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to all attorneys of record.

/s/ Amy L. Van Gelder
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